



House of Representatives

General Assembly

File No. 329

January Session, 2007

House Bill No. 6992

House of Representatives, April 4, 2007

The Committee on General Law reported through REP. STONE of the 9th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

AN ACT CONCERNING REAL ESTATE LICENSURE.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 20-314 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2007*):

3 (a) Licenses shall be granted under this chapter only to persons who
4 bear a good reputation for honesty, truthfulness and fair dealing and
5 who are competent to transact the business of a real estate broker or
6 real estate salesperson in such manner as to safeguard the interests of
7 the public.

8 (b) Each application for a license or for a renewal thereof shall be
9 made in writing, on such forms and in such manner as is prescribed by
10 the Department of Consumer Protection and accompanied by such
11 evidence in support of such application as is prescribed by the
12 commission. The commission may require such information with
13 regard to an applicant as the commission deems desirable, with due
14 regard to the paramount interests of the public, as to the honesty,

15 truthfulness, integrity and competency of the applicant and, where the
16 applicant is a corporation, association or partnership, as to the honesty,
17 truthfulness, integrity and competency of the officers of such
18 corporation or the members of such association or partnership.

19 (c) In order to determine the competency of any applicant for a real
20 estate broker's license or a real estate salesperson's license the
21 commission shall, on payment to the commission of an application fee
22 of sixty dollars by an applicant for a real estate broker's license or on
23 payment to the commission of an application fee of forty dollars by an
24 applicant for a real estate salesperson's license, subject such applicant
25 to personal written examination as to the applicant's competency to act
26 as a real estate broker or real estate salesperson, as the case may be.
27 Such examination shall be prepared by the Department of Consumer
28 Protection or by a national testing service designated by the
29 Commissioner of Consumer Protection and shall be administered to
30 applicants by the Department of Consumer Protection or by such
31 testing service at such times and places as the commissioner may deem
32 necessary. The commission may waive the uniform portion of the
33 written examination requirement in the case of an applicant who has
34 taken the national testing service examination in another state within
35 two years from the date of application and has received a score
36 deemed satisfactory by the commission. The Commissioner of
37 Consumer Protection shall adopt regulations, in accordance with
38 chapter 54, establishing passing scores for examinations. In addition to
39 such application fee, applicants taking the examination administered
40 by a national testing service shall be required to pay directly to such
41 testing service an examination fee covering the cost of such
42 examination. Each payment of such application fee shall entitle the
43 applicant to take such examination [four] unlimited times within the
44 one-year period from the date of payment. [Eligibility to take such
45 examination may be renewed annually upon payment of an additional
46 five-dollar fee.]

47 (d) (1) Each applicant for a real estate broker's license shall, before
48 being admitted to such examination, prove to the satisfaction of the

49 commission: (A) (i) That the applicant has been actively engaged for at
50 least two years as a licensed real estate salesperson under the
51 supervision of a licensed real estate broker in this state, (ii) that the
52 applicant has successfully completed a course approved by the
53 commission in real estate principles and practices of at least sixty
54 classroom hours of study, (iii) that the applicant has successfully
55 completed a course approved by the commission in real estate
56 appraisal consisting of at least thirty classroom hours of study, and (iv)
57 that the applicant has successfully completed a course approved by the
58 commission consisting of at least thirty classroom hours as prescribed
59 by the commission, or (B) that the applicant has equivalent experience
60 or education as determined by the commission.

61 (2) Each applicant for a real estate salesperson's license shall, before
62 being admitted to such examination, prove to the satisfaction of the
63 commission (A) that the applicant has successfully completed a course
64 approved by the commission in real estate principles and practices
65 consisting of at least sixty classroom hours of study, or (B) that the
66 applicant has equivalent experience or education as determined by the
67 commission.

68 (e) The provisions of subsections (c) and (d) of this section shall not
69 apply to any renewal of a real estate broker's license, or a real estate
70 salesperson's license issued prior to October 1, 1973.

71 (f) All licenses issued under the provisions of this chapter shall
72 expire annually. At the time of application for a real estate broker's
73 license, there shall be paid to the commission, for each individual
74 applicant and for each proposed active member or officer of a firm,
75 partnership, association or corporation, the sum of four hundred fifty
76 dollars, and for the annual renewal thereof, the sum of three hundred
77 dollars and for a real estate salesperson's license two hundred
78 twenty-five dollars and for the annual renewal thereof the sum of two
79 hundred twenty-five dollars. Three dollars of each such annual
80 renewal fee shall be payable to the Real Estate Guaranty Fund
81 established pursuant to section 20-324a. If a license is not issued, the

82 fee shall be returned. A real estate broker's license issued to any
83 partnership, association or corporation shall entitle the individual
84 designated in the application, as provided in section 20-312, upon
85 compliance with the terms of this chapter, but without the payment of
86 any further fee, to perform all of the acts of a real estate broker under
87 this chapter on behalf of such partnership, association or corporation.
88 Any license which expires and is not renewed pursuant to this
89 subsection may be reinstated by the commission, if, not later than two
90 years after the date of expiration, the former licensee pays to the
91 commission for each real estate broker's license the sum of three
92 hundred dollars and for each real estate salesperson's license the sum
93 of two hundred twenty-five dollars for each year or fraction thereof
94 from the date of expiration of the previous license to the date of
95 payment for reinstatement, except that any licensee whose license
96 expired after such licensee entered military service shall be reinstated
97 without payment of any fee if an application for reinstatement is filed
98 with the commission within two years after the date of expiration. Any
99 such reinstated license shall expire on the next succeeding April
100 thirtieth.

101 (g) Any person whose application has been filed as provided in this
102 section and who is refused a license shall be given notice and afforded
103 an opportunity for hearing as provided in the regulations adopted by
104 the Commissioner of Consumer Protection.

105 Sec. 2. Section 20-319a of the general statutes is repealed and the
106 following is substituted in lieu thereof (*Effective July 1, 2007*):

107 (a) Any licensed real estate salesperson who transfers his
108 employment from one broker to another or his affiliation with a broker
109 as an independent contractor shall register such transfer with, and pay
110 a registration fee of twenty-five dollars to, the commission.

111 (b) A fee of twenty-five dollars shall be paid to the commission for
112 the issuance of a license certification. [or a duplicate of a license
113 certificate.]

This act shall take effect as follows and shall amend the following sections:		
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Section 1	<i>July 1, 2007</i>	20-314
Sec. 2	<i>July 1, 2007</i>	20-319a

GL *Joint Favorable*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either chamber thereof for any purpose:

OFA Fiscal Note**State Impact:**

Agency Affected	Fund-Effect	FY 08 \$	FY 09 \$
Consumer Protection, Dept.	GF - Revenue Loss	Minimal	Minimal

Note: GF=General Fund

Municipal Impact: None

Explanation

This bill would result in a minimal revenue loss to the Department of Consumer Protection (DCP), as a result of allowing real estate brokers or salespeople to retake the licensure exam an unlimited number of times. The revenue loss would occur from the waiver of the \$5 annual fee to maintain eligibility to retake the exam and the waiver of the \$25 fee for a duplicate license.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

OLR Bill Analysis**HB 6992*****AN ACT CONCERNING REAL ESTATE LICENSURE.*****SUMMARY:**

This bill allows applicants for a real estate broker or salesperson license to take the licensure examination an unlimited number of times instead of the current limit of four. It eliminates the \$5 annual fee imposed to maintain eligibility to retake the examination. Finally, the bill eliminates the \$25 fee for a duplicate license.

EFFECTIVE DATE: July 1, 2007

COMMITTEE ACTION

General Law Committee

Joint Favorable

Yea 19 Nay 0 (03/14/2007)